



## MAYOR AND COUNCIL REGULAR MEETING NOTICE & AGENDA

### WELCOME!

The City of Tucson has a council-manager form of government. Policies are set by the Mayor and Council, who are elected by the people. Policies are carried out by the City Manager, who is appointed by the Mayor and Council. The Mayor and Council decides what is to be done; the City Manager, operating through the entire city staff, does it.

### REGULAR COUNCIL MEETINGS

The Mayor and Council usually meet  
at 2:00 p.m. on the first and third Mondays of the month, and  
at 7:30 p.m. on the second and fourth Mondays of the month.

Copies of the agenda are available during the meeting. Additionally, the agenda as well as reference documents and proposed ordinances and resolutions are available in the City Clerk's office prior to each meeting.

To better serve everyone in the community, the chambers is wheelchair accessible, an assistive listening system for the hearing impaired is in place and closed captioning is available on cable television. A request for reasonable accommodation for persons with disabilities must be made in the City Clerk's Office by parties at least two (2) working days in advance of the scheduled meeting and can be made by calling 791-4213 or 791-2639 (TDD).

Ordinances and resolutions, the laws of Tucson, are considered during regular meetings. Those adopted with the emergency clause and the affirmative vote of five members of the Council, take effect immediately. Those adopted without the emergency clause take effect thirty days after passage. Unless the Mayor or a member of the Council requests that an ordinance or resolution be read in full, it is read by number and title only. Routine items are scheduled under the heading of Consent Agenda, which allows a number of actions to occur with a single motion.

### PARTICIPATION BY THE PUBLIC

Persons attending the meeting shall observe rules of propriety, decorum, and good conduct, and refrain from impertinent or slanderous remarks. Violation of this rule shall result in such persons being barred from further audience before the governing body. A copy of the complete rules and regulations may be obtained from the City Clerk. Please turn off or put in vibrate mode all communication devices (pagers/cell phones).

The Mayor and Council often schedule public hearings on topics of interest. Pursuant to Mayor and Council Rules and Regulations, public hearings last one hour. Interested persons are invited to attend and offer comments. Additionally, Call to the Audience is reserved for comments from the public.

To address the Mayor and Council:

- Complete a speakers card and deposit it in the tray on the podium. Upon being recognized, state your name and address before proceeding into your subject matter. Speakers are limited to five-minute presentations.
- Submit written comments to the Mayor and Council (via the City Clerk) prior to and during the meeting.
- Call the Mayor and Council Citizen Comment Line at 791-4700.

**Robert E. Walkup**  
Mayor

**Shirley C. Scott**  
Vice Mayor

#### Council Members

**José J. Ibarra**  
Ward 1

**Carol W. West**  
Ward 2

**Kathleen Dunbar**  
Ward 3

**Shirley C. Scott**  
Ward 4

**Steve Leal**  
Ward 5

**Fred Ronstadt**  
Ward 6

Revisions to the agenda can occur up to 24 hours prior to the meeting. Contact the City Clerk at 791-4213 (TTD: 791-2639, FAX: 791-4017 or WEB SITE: <http://www.ci.tucson.az.us/clerks>), 9th floor, City Hall, 255 W. Alameda for up-to-date information Monday thru Friday, 8 a.m. to 5 p.m. [holidays excepted]. Live coverage of meeting is cablecast on Tucson 12 and on Comcast Channel 59 (Mondays only). In addition, replays of the meetings are cablecast on Tucson 12 as follows:

Tuesdays 9:00 p.m.  
Wednesdays 9:00 a.m.  
Sundays 9:00 a.m.

(VHS) tapes of meetings are available at the Tucson Main Library.



# MAYOR & COUNCIL MEETING NOTICE & AGENDA

## REGULAR MEETING

MONDAY, NOVEMBER 10, 2003 – 7:30 P.M.  
MAYOR AND COUNCIL CHAMBERS  
(CITY HALL, 255 WEST ALAMEDA, TUCSON, ARIZONA)

**1. ROLL CALL**

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

INVOCATION – Minister John Sheley, Retired

PLEDGE OF ALLEGIANCE – Mayor and Council and public in attendance

**PRESENTATION**

- (a) Presentation to Mayor and Council of two American flags by Tucson Police Officers Steven Lake and Frank Landholm, Reservists with the 944<sup>th</sup> Security Forces Squadron at Luke Air Force Base, for supporting the military during time of deployment.

**3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS**

- (a) Report from City Manager NOV10-03-577 CITY-WIDE

**4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS**

- (a) Report from City Manager NOV10-03-578 CITY-WIDE

**5. CALL TO THE AUDIENCE:**

At this time, any member of the public is allowed to address the Mayor and City Council on any issue *not listed on tonight's agenda*. Pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "call to the audience."

**6. CONSENT AGENDA ITEMS A THROUGH D**

**FOR COMPLETE DESCRIPTION OF ITEMS**  
**SEE ATTACHED CONSENT AGENDA**

Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired by members of the governing body, that item will be removed from the Consent agenda and will be considered separately.

**7. LIQUOR LICENSE APPLICATIONS**

(a) Report from City Manager NOV10-03-575 CITY-WIDE

(b) LIQUOR LICENSE APPLICATION(S)

Person Transfers

(1)	FOOD CITY #156	<u>Staff Recommendation</u>
	1221 W. Irvington Road	
	Applicant: Michael J. Basha	Police: In Compliance
	City #079-03, located in Ward 1	DSD: In Compliance
	Series #9	Bus. License: In Compliance
	Action must be taken by: November 22, 2003	

NOTE: For a person to person transfer, Mayor and Council may consider both the applicant's capability, qualifications and reliability.

(c) Special Event(s)

(1)	VIETNAM VETERANS OF AMERICA	<u>Staff Recommendation</u>
	900 S. Randolph, Reid Park DeMeester Center	
	Applicant: Frank L. Thompson	Police: In Compliance
	City #T101-03, located in Ward 6	DSD: In Compliance
	Date of Event: November 16, 2003	Parks & Rec.: In Compliance
	(Civic Event to Celebrate Veteran Sacrifice for America)	
(2)	CAMP FIRE USA	<u>Staff Recommendation</u>
	288 N. Church Avenue	
	Applicant: Bonnie Demorotski	Police: In Compliance
	City #T104-03, located in Ward 1	DSD: In Compliance
	Date of Event: November 13, 2003	
	(Annual charitable fundraiser)	

**8. ELECTIONS: CANVASS OF THE RETURNS AND DECLARATION OF THE RESULTS OF THE GENERAL AND SPECIAL ELECTIONS HELD NOVEMBER 4, 2003**

- (a) Report from City Manager NOV10-03-585 CITY-WIDE

Material for this item can be accessed on the City website and in the City Clerk's office as soon as it becomes available.

**9. PARKS AND RECREATION: NAMING THE BALLFIELD AT AMPHI NEIGHBORHOOD PARK THE GILBERT NAGORE BALLFIELD**

- (a) Report from City Manager NOV10-03-586 W3
- (b) Resolution No. 19717 relating to Parks and Recreation; approving naming the Amphi Neighborhood Park Ballfield the "Gilbert Nagore Ballfield"; and declaring an emergency.

**10. PUBLIC HEARING: ZONING (C9-81-45) HIRAM BANKS – SAN MARCOS BOULEVARD, MH-1 ZONING, CHANGE OF CONDITIONS AND ORDINANCE ADOPTION (Continued from the meeting of October 13, 2003)**

- (a) Report from City Manager NOV10-03-584 W1
- (b) Hearing on a request for a change of conditions to allow increased residential density on the project site located on the south side of San Marcos Boulevard, west of Greasewood Boulevard. The preliminary development plan is for 34 residential units on approximately 8.0 acres. Applicant: Michael John Baker, on behalf of the property owner, JHG Development.
- (c) Ordinance No. 9905 relating to zoning: amending Ordinance No. 5653 to amend zoning conditions for approval of the zoning district boundaries in the area located on the south side of San Marcos Boulevard, 200 feet west of Greasewood Boulevard in Case C9-81-45, Hiram Banks – San Marcos Boulevard, MH-1 Zoning; and declaring an emergency.

The City Manager recommends approval of the requested change of conditions subject to the conditions provided in the ordinance.

**11. PUBLIC HEARING: ZONING (C9-03-18) LA COLONIA SEIS – CAMPBELL AVENUE R-2 AND C-1 TO OCR-1, CITY MANAGER’S REPORT AND ORDINANCE ADOPTION**

- (a) Report from City Manager NOV10-03-580 W6
- (b) Report from Zoning Examiner dated October 24, 2003.
- (c) Hearing on a request to rezone approximately 3.4 acres from R2/C-1 (Medium Density Residential/ Low-intensity Commercial) to OCR-1 (High-rise Mixed Use). The preliminary development plan is for one three-story building and five two story buildings containing a maximum of 62 residential units and 39,611 square feet of office and retail uses. The applicants are Frank Bangs and Mary Beth Savel of Lewis and Roca LLP, on behalf of the property owners, James Horvath and Raul Reyes of La Colonia Seis, LLC. The applicant has requested the “early ordinance” option, which allows the ordinance rezoning the property to be adopted at the time of Mayor and Council authorization.

The Zoning Examiner recommends approval of OCR-1 zoning. Based on the fully developed preliminary development plan and dimensioned elevation drawings, and ongoing CDRC review of the project, adoption of a rezoning ordinance at this time is also appropriate. The City Manager recommends approval of OCR-1 zoning subject to compliance with the conditions provided in the rezoning ordinance presented.

- (d) Ordinance No. 9910 relating to zoning: amending zoning district boundaries in the area located at the southeast corner of Campbell Avenue and Sixth Street in Case C9-03-18, La Colonia Seis – Campbell Avenue, R-2 and C-1 to OCR-1; and setting an effective date.

Two (2) written approvals and five (5) written protests were received prior to the Zoning Examiner’s public hearing on October 9, 2003. Five (5) of the protests are within the 150 foot area, representing a 33.55 percent protest by area to the west, 9.03 percent protest by area to the east, 2.05 percent protest by area to the south, and zero (0) percent protest by area to the north.

A three-fourths majority vote will be necessary to adopt the ordinance presented.

**12. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES**

- (a) Report from City Manager NOV10-03-579 CITY-WIDE

### **13. CALL TO THE AUDIENCE**

At this time, any member of the public is allowed to address the Mayor and City Council on *any issue*. Pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "call to the audience."

### **14. ADJOURNMENT**

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, November 17, 2003, at 2:00 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.